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G.34

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD, VIJAYAWADA.**

KURNOOL DISTRICT - PANYAM (M) - MOSQUE (NOORANI MASJID) AND ITS ATTACHED PROPERTIES ARE SITUATED AT THOGERCHEDU VILLAGE - Sri MULLA ABDUL SATTAR S/O. MULLA ABDUL WAHAB APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF (2) YEARS.

- Read : 1) This office proceeding even No. Dated: 09-08-2016.
- 2) Report of Inspector Auditor Waqf, Kurnool District, Dt: 24-08-2018, along with representation of Sri. Muila Abdul Sattar, S/o. Mulla Abdul Wahab, R/o. Thogerchedu (V), Kurnool District, Dated: 12-08-2018.
- 3) This Office Memo even No., Dated: 30-11-2018.
- 4) Report of I.A Waqf, Kurnool District, Dated: 01-01-2019.
- 5) Orders of the Hon'ble Chairperson, Dated: 21-01-2019.
- 6) This office letter even No. Dated: 28-01-2019.
- 7) Remarks received from Joint Collector, Guntur & Hon'ble Board Member of APSWB, Letter Dated: 01-02-2019.
- 8) Orders of the Hon'ble Chairperson, APSWB, Dated: 02-02-2019.
- 9) Board's Resolution No.33/2019, Dated: 02-02-2019.
- 10) Orders of the Hon'ble Chairperson, APSWB, Dated: 18-02-2019.

F.No.02/Towliath/KNL/2016/Z-IV,- The Waqf institution Mosque Known as Noorani Masjid situated at Thogerchedu (V), Panyam (M), Kurnool District along with its attached properties in Sy. No.379, to an extent of Ac. 25.15 cents, in Sy. No 510 to an extent of Ac.16.84 cents, in Sy. No. 464 to an extent of Ac. 22.97 cents and in Sy. No 565 to an extent of Ac. 5.32 cents making a total Ac.70.28 cents situated at Thogerchedu (V), Panyam (M), is a registered Waqf and got published in the A.P. Gazette, Dt: 24-10-1963 at Serial No.3334 and the notified Mutawalli Sri Mulla Mahaboob Saheb, who was died long back.

In the ref. 1st read above, the Board has appointed Sri. Mulla Abdul Sattar, S/o. Mulla Abdul Wahab as Mutawalli to the subject Waqf Institution U/sec. 63 of Waqf Act, 1995 for a period of (2) years, vide Board's proceedings No.02/Towliath/KNL/2015, Dated: 09-08-2016 and the period was expired on 08-08-2018.

In the ref. 2nd read above, the Inspector Auditor, Waqf, Kurnool District has submitted report along with a copy of application of Sri Mulla Abdul Sattar, S/o. Mulla Abdul Wahab that the Board was appointed him as a Mutawalli to the subject Waqf institution for a period of (2) years and its period was expired. Further the applicant has informed that the entire attached property of subject Waqf institution is under encroachment, and the Board has already been issued notices to the encroachers. Further the applicant has informed that he has managing entire affaires of the subject Waqf institution and finally requested to appoint him as Mutawalli U/Sec. 42 of Waqf Act, 1995. The I.A Waqf Kurnool District has reiterate the same and finally recommended for his appointment.

This office has issued a Memo vide ref. 3rd read above, to Inspector Auditor, Waqf, Kurnool District with a direction to obtain family Member certificate along with detail report in the subject matter.

In the ref. 4th read above, he has furnished the family member certificate of Sri M. Abdul Khadar, S/o Late M. Sali Saheb instead of Gazette notified Muthawalli Sri Mulla Mahaboob Saheb.

Then the matter was placed before the Hon'ble Chairperson, APSWB, who after careful examination and passed orders remarks obtain from Joint Collector, Guntur & Hon'ble Member of A.P. State Waqf Board in the light of Board Resolution No. 183/2018, Dt: 13-11-2018.

This office has addressed a letter to Sri. A.Md. Imtiaz, IAS, Joint Collector, Guntur District & Hon'ble Member of AP State Waqf Board vide ref. 6th read above, with a request to arrange the remarks in the subject matter.

The Hon'ble member has furnished his remarks in the ref. 7th read above, and informed that the applicant Sri.Mulla Abdul Sattar S/o Mulla Abdul Wahab is eligible person for extension of Mutawalliship for the subject Waqf Institution U/Sec 63 of Waqf Act, 1995.

In the ref. 8th read above, the matter was placed before the Hon'ble Chair person who after careful examination and passed orders to the place matter in the Board meeting.

Accordingly, the said matter was placed before the Board and the Board has passed a Resolution in the ref. 9th read above, "It is unanimously resolved to appoint Sri Mulla Abdul Sattar S/o. Mulla Abdul Wahab as Muthawalli U/Sec. 63 of Waqf Act, 1995 for a period of Two (2) years for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules from the date of issue of this orders".

In the ref. 10th read above, the Hon'ble Chairperson who agreed to issue orders.

Accordingly, Sri. Mulla Abdul Sattar, S/o. Mulla Abdul Wahab is hereby appointed as Mutawalli U/sec. 63 of Waqf Act, 1995 for a period of two (2) years from the date of issue of this orders for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts, Budget, Income & Expenditure statements and pay Waqf fund properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board.
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- b) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) Shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural land. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @10% of the Net annual Income.

As per Sec. 101 (2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

SHAIK AHAMMED,
Chief Executive Officer,
Andhra Pradesh State Waqf Board,
Vijayawada.

Dated: 25-02-2019.

To
Sri. Mulla Abdul Sattar,
S/o. Mulla Abdul Wahab,
Muthawalli of Mosque (Noorani Masjid),
Thogerchedu (V), Panyam (M),
Kurnool District. (Through I.A.Waqf, Kurnool District.)

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